

FILED

JUN 14 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONALD A. GEZZI,

Petitioner,

vs.

MATTHEW KRAMER,,

Respondent.

No. C 05-0404 MJJ (PR)

**ORDER DENYING MOTION
FOR A CERTIFICATE OF
APPEALABILITY**

(Docket No. 33)

Petitioner, a California prisoner, filed this pro se habeas corpus petition pursuant to 28 U.S.C. § 2254. The petition was denied on its merits. Petitioner has filed a notice of appeal, which the court construes as containing a request for a certificate of appealability, pursuant to 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b). Petitioner has not shown "that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right." Slack v. McDaniel, 120 S.Ct. 1595, 1604 (2000). Accordingly, the request for a certificate of appealability are DENIED.

The Clerk shall forward this order, along with the case file, to the United States Court of Appeals for the Ninth Circuit, from which petitioner may also seek a certificate of appealability. See United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir. 1997).

This order terminates docket number 33.

IT IS SO ORDERED.

DATED: 6/13/2007


MARTIN J. JENKINS
United States District Judge